Appl. No. 10/698,981
Supplemental response dated April 19, 2010

200.1162US

REMARKS

A. Status of Claims

Claims 1-3, 6, 11, 77, 80, 82-84, 86, 89, 90, and 95 were amended without prejudice or admission. Support for "a tablet or a capsule" can be found, e.g., in paragraphs [0057], [0063] and [0064] of the specification. Support for "sustained release tablet" can be found, e.g., in paragraph [0116] of the specification.

Claim 96 was cancelled without prejudice or admission.

Claims 1-4, 6, 11, 74-95, 97, and 98 are pending, with claims 1, 2, 4, 11, 81, 83, 85, 87, and 89 withdrawn from the consideration as reading on the non-elected species.

It is respectfully submitted that claims 3, 6, 74-80, 82, 84, 86, 88, 90-95, 97, and 98 are encompassed by the elected invention.

B. Substance of Interview

In accordance with the provisions of 37 CFR 1.133, Applicants herein make of record the substance of the telephonic interview conducted on April 19, 2010, between Applicants' attorney Oleg Ioselevich and Examiner Micah Paul Young.

During the interview, U.S. Patent No. 6,192,882 to Gonda et al. was discussed. Proposed amendments to the claims were also discussed.

The Examiner indicated that amending each independent claim to recite that "the dosage form is a tablet or a capsule" will obviate the outstanding rejections.
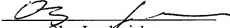
Applicants note that each independent claim was amended in the present response to recited that "the dosage form is a tablet or a capsule."

Applicants thank the Examiner for granting the interview, and respectfully request that the substance of interview be made of record.

CONCLUSION

An allowance of the present application is earnestly solicited. According to currently recommended Patent Office policy, the Examiner is specifically authorized to contact the undersigned by telephone in the event that a telephonic interview will advance the prosecution of this application.

Respectfully submitted,
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